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031204

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I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:


Sarah M. Barnett

22387 U.S. PTO
10/800389
031204

PATENT

Customer Number 22,852

Attorney Docket No. 04121.0076-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Prior Application Art Unit: 1636

Prior Application Examiner: Nancy Vogel

SIR: This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 08/846,996, filed May 1, 1997, of Alan L.

GREENER and Bruce D. JERPSETH, for HIGHLY TRANSFORMABLE BACTERIAL CELLS AND METHODS FOR PRODUCING THE SAME.

1. ☒ Enclosed is a complete copy of the prior application, U.S. Application No. 08/846,996, originally filed on May 1, 1997, including any drawings, and a copy of the Declaration and Power of Attorney filed on September 23, 1997, and a copy of the Associate Power of Attorney filed July 5, 2001.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4. ☒ A Preliminary Amendment is enclosed.

5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended in the Preliminary Amendment filed herewith.

The filing fee is calculated as follows:

Basic Application Filing Fee					\$770	\$770.00
	Number of Claims		Basic	Extra Claims		
Total Claims	22	-	20	2	x \$18	\$36.00
Independent Claims	2	-	3	0	x \$86	\$0.00
<input checked="" type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$290	290.00
Subtotal						\$1,096.00
Reduction by 1/2 if small entity						-
TOTAL APPLICATION FILING FEE						\$1,096.00

6. ☒ Please do not charge the filing fee to Deposit Account No. 06-0916.
7. ☐ A check in the amount of \$[Fee] to cover the filing fee is enclosed.
8. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
9. ☒ Since applicants intend the present continuation application to have the same disclosure as parent application Serial No. 08/846,996, that application has been incorporated by reference into this application in an abundance of caution in the event that any of the disclosure of Serial No. 08/846,996 is inadvertently omitted in this submission.
10. ☒ This application will be completed in accordance with 37 C.F.R. § 1.53(f) upon receiving a Notice to File Missing Parts of Application. Applicants await notification from the U.S. Patent and Trademark Office of the time set for filing the Filing Fee.
11. ☐ New formal drawings are enclosed.
12. ☒ The prior application is assigned of record to: Stratagene

13. ☐ Priority of application Serial No. [Text], filed on [Text] in [Country] is claimed under 35 U.S.C. § 119. A certified copy
- ☐ is enclosed or ☐ is on file in the prior application.
14. ☐ A verified statement claiming small entity status
- ☐ is enclosed or ☐ is on file in the prior application.
15. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; Roger D. Taylor, Reg. No. 28,992; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanh Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33, 921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Lori Ann Johnson, Reg. No. 34,498; R. Bruce


Bower, Reg. No. 37,099; John Rissman, Reg. No. 33,764; Therese A. Hendricks, Reg. No. 30,389; Leslie I. Bookoff, Reg. No. 38,084; Michele C. Bosch, Reg. No. 40,524; Michael J. Flibbert, Reg. No. 33,234; Scott A. Herbst, Reg. No. 35,189; Leslie A. McDonell, Reg. No. 34,872; Thalia V. Warnement, Reg. No. 39,064; Ronald A. Bleeker, Reg. No. 27,773; Kathleen A. Daley, Reg. No. 36,116; C. Gregory Gramenopoulos, Reg. No. 36,532; Anthony M. Gutowski, Reg. No. 38,742; Yitai Hu, Reg. No. 40,653; Lionel M. Lavenue, Reg. No. 46,859; Christine E. Lehman, Reg. No. 38,535; Patrick J. Coyne, Reg. No. 31,821; F. Leslie Bessinger, III, Reg. No. 39,108; Houtan K. Esfahani, Reg. No. 41,893; Esther H. Lim, Reg. No. 41,994; Michael A. Morin, Reg. No. 40,734; and Erik R. Puknys, Reg. No. 40,132.

16. ☐ The power appears in the original declaration of the prior application.
17. ☒ A copy of the Associate Power of Attorney in the prior application Serial No. 08/846,996 is enclosed.
18. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852**.
19. ☐ Recognize as associate attorney _____
20. ☐ Also enclosed is _____

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, Serial No. 08/846,996, filed May 1, 1997, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 12, 2004

By: 
M. Paul Barker
Reg. No. 32,013